

WILLIAMSBURG BOARD OF ZONING APPEALS MINUTES

February 1, 2005

The regular meeting of the Williamsburg Board of Zoning Appeals was held on Tuesday, February 1, 2005 at 4:00 p.m. in the Williamsburg Municipal Building, 401 Lafayette Street.

ATTENDANCE

Present were Board members Knudson, Kafes, and White. Absent were Board members Carr and Lamson. Staff member present was Zoning Administrator Murphy.

CALL TO ORDER and MINUTES

Chairman Knudson called the meeting to order. Mrs. Knudson moved that the minutes of the January 4, 2005 meeting be approved as submitted. Mr. Kafes seconded the motion which carried by roll call vote.

PUBLIC HEARINGS

BZA #05-005: Request of George & Rita Prassas for a special exception from Section 21-896 of the Zoning Ordinance to construct an addition to the Waffle Factory Restaurant 4.3 feet from the side property line instead of 15 feet as currently required by the Zoning Ordinance. The property is located at 1605 Richmond Road, Williamsburg Tax Map Number 343-(02)-00-C2 and is zoned Tourist Business District B-2. Approved.

Chairman Knudson introduced the request for a special exception and noted the following BZA members have visited the site:

Knudson, Kafes, and White

Mrs. Knudson asked for comments from the applicant.

Owners, Rita and George Prassas, stated the restaurant is a small one with only 74 seats requiring long lines and unhappy customers during peak times from Easter to December. In supporting their request, Mr. Prassas presented a newspaper article from the Virginia Gazette on January 26th noting that City Council and staff are considering alternative policies for development in order to encourage the startup of new businesses, and to encourage expansion and develop of a sense of loyalty to existing businesses. He noted the 12'x30' addition would provide approximately 24 additional seats, thereby generating additional revenues during busy months and off-setting the slow business months of January and February. Mr. Prassas stated a new façade and curb cut to Aberdeen Barn in the rear will provide a better traffic flow and enhance the curb appeal of the building.

Williamsburg Board of Zoning Appeals Minutes
February 1, 2005

There being no questions from the Board, Chairman Knudson opened the public hearing.

There being no comment the public hearing was closed.

Mrs. White noted the property is located in a Tourist Business District which encourages service establishments to promote economic development and that the applicant meets the definition of a hardship for the special exception due to the physical size and constraints of the lot and the addition would encourage economic development in the District.

On the motion of Mrs. White, seconded by Mr. Kafes, and carried by a vote of 3-0, the following resolution was adopted:

WHEREAS, George and Rita Prassas have submitted an application, BZA #05-005, requesting a special exception from Section 21-896 of the Zoning Ordinance to construct an addition to the restaurant 4.3 feet from the side property line in line with the existing restaurant instead of fifteen feet as required by the Zoning Ordinance.

WHEREAS, the property is located at 1605 Richmond Road, Williamsburg Tax Map Number 343-(02)-00-C2 and is zoned Tourist Business District; and

WHEREAS, the City of Williamsburg Board of Zoning Appeals conducted a public hearing on this request on February 1, 2005; and

WHEREAS, after careful consideration of the pertinent issues subsequent to the public hearing, the Board has determined the following:

- (a) A hardship would result from the denial of the special exception.
- (b) It is designated, constructed and operated to adequately safeguard the health, safety and welfare of the occupants of the adjoining and surrounding property;
- (c) It does not unreasonably impair an adequate supply of light and air to adjacent property;
- (d) It does not increase public danger from fire or otherwise unreasonably restrict public safety;
- (e) It does not impair the established property values in surrounding areas.

NOW, THEREFORE, BE IT RESOLVED by the City of Williamsburg Board of Zoning Appeals on this the 1st day of February 2005 that the request of George and Rita Prassas to construct an addition 4.3 feet from the side property line is hereby **approved**.

Williamsburg Board of Zoning Appeals Minutes
February 1, 2005

Recorded vote on the motion:

Aye: White, Knudson, Kafes

No: None

Absent: Carr, Lamson

OLD BUSINESS – none

NEW BUSINESS - none

There being no further business the meeting adjourned at 4:15 p.m.

Respectfully submitted,

Judith Knudson, Chairman
Board of Zoning Appeals